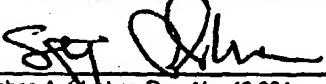




1654

PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on November 28, 2004.


Stephen A. Stusher, Reg. No. 43,924

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sharma et al. : Examiner: J. E. Russel
Serial No. 10/049,718 : Group Art Unit: 1654
Filed: February 13, 2002 :
For: Melanocortin Metallopeptide Constructs,
Combinatorial Libraries and Applications :

Fee
purpose
or by

AMENDMENT AND RESPONSE

Commissioner for Patents
Box Non-Fee Amendment
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action dated June 28, 2004, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 8 of this paper.

Remarks begin on page 19 of this paper.

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FEE VALUE		ACCOUNTABILITY
DEPOSIT ACCOUNT NO.		
13	4213	
FEE CODE	VALUE FURNISHED	(14)
2202	126	

example of Giblin et al. two cysteine residues are employed for rhenium binding, while claim 18 contains only a single cysteine (or other residue Ccc providing both a sulfur and nitrogen for binding).

In paragraph numbered 16, claims 2, 8, 18, 26-30, 32, 37 and 38 are rejected as being anticipated by Deghenghi (U.S. Patent 5,668,254). The rejection is traversed. Claim 2 is amended to further provide a metal ion complexed to the metal ion-binding domain. This is neither taught nor suggested by Deghenghi.

In paragraph numbered 15, claims 2, 8, 18, 26-30, 32, 37 and 38 is rejected as being anticipated by Keri et al. (U.S. Patent Application Publication 2001/0009899). This is a rejection under section 102(e). The rejection is traversed. Claim 2 is amended to further provide a metal ion complexed to the metal ion-binding domain. This is neither taught nor suggested by Keri.

EXTENSION. A petition for a two month extension, through November 29, 2004, and the required fee, is submitted herewith. Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 13-4213. A duplicate of this paper is enclosed for accounting purposes.

In view of the above amendments and remarks, it is respectfully submitted that all grounds of rejection and objection have been avoided and/or traversed. It is believed that the case is now in condition for allowance and same is respectfully requested.

If any issues remain, or if the Examiner believes that prosecution of this application might be expedited by discussion of the issues, the Examiner is cordially invited to telephone the undersigned attorney for Applicant at the telephone number listed below.

Respectfully submitted,

PEACOCK, MYERS & ADAMS, P.C.

By:


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